

Number	Nature of Response	Reference Point	Comment	Response	Resolution
1	Support	section 1.4, page 1-6	These illustrations are great.	Thanks for the comment.	No change needed.
2	Observation	7.1.3.D	I dont believe the city currently has many bus lines (maybe 1) that provide services with intervals shorter then 15 minutes during peak commute hours.	Thanks for your comment. While there are no routes with this frequency of service today, we anticipate that future transit investments will drop headways to 15 minutes or better in the future along several priority corridors. When this occurs, this parking reduction will become available for developments along these corridors.	No change needed.
3	Support with Conditions	7.1.5.B.1	3rd line: ".....if prepared and sealed by a registered LANDSCAPE ARCHITECT or engineer in the State of North Carolina....." Often times, landscape architects perform the site design.	Thanks for your comment. Suggested language will be evaluated.	No change to the language.
4	Observation	page 12.8	Think the "Floor Area, Gross" definition would be more effective if coordinated with the Building Code definitions, specifically Building Code reference to "inside perimeter of the exterior walls	Good suggestions; we'll look into it.	No change to UDO.
5	Support	2.1.1	I support the changes allowing accessory dwelling units	Thanks for the positive feedback.	No change needed.
6	Observation	UDO Residential Districts/Use Regulations	We need to add in that residential home can not be used as businesses or churches. Business such as churches and day cares in residential homes are unsightly when entire lawns are destroyed to make way for parking, most seem have no plans for the added traffic that they bring into the neighborhood which creates a nightmare for people like myself. I live on a private street (no monitary city assistance whatsoever) and do not wish to share my street with people on a daily basis who are not paying for my street (repairs, maintenance, etc.) as I am. Therefore, I believe we need to have a better system in place to keep businesses, including churches, such as these out of our already established residential communities, especially when there is more than ample space in many shopping centers that would eliminate the need for paving an entire front yard and would eliminate any parking and/or added traffic to neighborhood streets. There has to be something we can do to keep this from happening. Please change the laws making it difficult, if not impossible to change the use of these residential homes into anything other than a single family	Thanks for raising this issue. While churches are permitted in all zoning districts, we will continue to look at ensuring that the appropriate standards apply.	No change to the use table. Churches are a "limited use" in the residential zone districts. There are additional buffering standards that would apply to churches in residential zone districts.
7	Object	Chapter 6 - Use Regulations - Article 6.4, Section 6.4.3 B "Adult Establishments"	Adult Establishments should not be a special permitted use in DX residential mixed use environments.	Thank you for this comment. We will forward to the work group and consultants for consideration. With there being various types of permissions granted for uses, such as S for special, L for limited, additional clarification may be needed to determine if the intention of this comment to prohibit in total or allow through a different type of process, such as L for limited use. thank you	No change to the use table. A special use permit would be required for any adult business in the CX, DX or IX districts. There are specific spacing standards and performance standards for these uses.
8	Object	Chapter 6 - Use Regulations - Article 6.4, Section 6.4.10 "Restaurant/Bar Use" - Page 144	In particular, lounges and night clubs should not be a permitted use in DX residential mixed use, or any residential mixed use environment.At a minimum, amplified music of any kind should not be permitted within these establishments when present within a residential mixed use environment. There is a serious and growing problem with this in Raleigh. It's time to get control of it.	Consideration of this topic will be addressed through the consultant and staff. Music may be generated from a business through various methods at varying noise leves and times of day, all having different impacts on residential uses. With all mixed use districts allowing residential uses, and the current zoning districts that prohibit residential being mosly industrial, other alternatives may be reviewed as music is viewed by some residents as very much a desired use near residential uses. There are issues to consider and we understand noise levels in some areas of the city have become important to residents.Thank you for your comment.	No change to the use table. The mixed use districts all permit retail and residential uses. Currently, any outdoor amplification permit requires a special use permit granted by City Council. The impacts of the use are evaluated during the quasi judicial public hearing.

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9	Support with Conditions	1.51.D	This requires an illustration. There is a lot of ambiguity, and the potential for unintended consequences on less regular lots..Consider the diagram under E showing 4 lots. Is the depth to the red line or to the lot edge?Imagine the single lot example with the street a tighter curve where the point at the centerline is much further into the lot. Is the depth the average of the edges of the depth at centerline?Should it be calculated otherwise? Should it be the minimum depth measured parallel to the lot sides? Should it be the area divided by the average depth at the edges?	Thanks for the comment. Staff understands the regulation to mean that the depth of a lot is measured from the front property line to the rear property line, at a point midway between the two side lot lines. The measurements would be taken from the lot lines, and not the red dashed line in the diagram. There could be some interpretation needed for irregular lots. Staff will pass this comment along to the consultants, along with the suggestion to include lot depth in the illustration on page 1-8.	The diagram has been altered to show the lot depth.
10	Object	1.5.11.E	Is there no maximum depth for an awning?If it is less than 6' deep what is it?	The code does not specify a maximum depth for an awning. The minimum depth is six feet. Staff would interpret this to mean that an awning with a depth of less than six feet would not be permitted. Thanks for the comments. Staff will forward to the consultants.	No change. There is no maximum depth for an awning.
11	Other	UDO Residential Districts/Use Regulations	I don't know if I articulated the issue we have in my neighborhood well enough. We have churches and day cares that try to pop up in residential homes without changes in use, proper permits, etc, one in particular that has stated they intend to level the lot in order to put in parking. We realize that It is up to us as residents to stay on top of these things, but it could be made much easier with your help. If there were a church in my private neighborhood or on the same street, it would greatly impact my neighborhood in a negative way. We have to pay for our own streets (repair and maintance are not done by the city) and there is to be no parking on our streets per our covenants. We do not want the excessive traffic through our neighborhood or parking on our roads. We desperately need a better way to combat this problem.	Yes, thank you. To address the general issue, the issue of converting homes to churches has been indentified. In the current ordinance and in the proposed ordinance, these scenarios are considered "changes of use" and are required to comply with parking, landscaping and the building code. As to your specific example in your neighborhood, a separate conversation would be necessary to determine what is applicable or what would be required. Thank you.	No change to use table.
12	Object	Article 7.2 (pg 7-21)	Plant sizes have increased too much. Trees have increased to 3" caliper. Larger trees require a longer recovery time after planting than smaller trees, and are more difficult to establish. The minimum shrub sizes are indicated to be 18" in the parking and 3' in protective yards. This will limit the diversity of plants that can be used. For example, we like to provide some diversity of plant types in parking areas and like to use many low, spreading shrubs. As these are often dwarf, obtaining them in 18" heights can be difficult and costly. Similarly, the 3' height will greatly limit the available plant palette and greatly increase costs. What we have found is many designers install upright plants in parking lots and at building foundations to obtain the 18" heights, and these plants have to be heavily sheared later to keep them in bounds (e.g. Myrica cerifera and Ligustrum sinense are used in lieu of Ilex cornuta, Raphiolepis sp, etc.). While this makes for a new landscape that looks mature, it creates future problems and often necessitates removal of the landscape prior to it reaching maturity as plants grow out of bounds, create safety hazards and look uns	Thank you for your thoughtful comments. Higher minimal landscaping standards were considered to ensure minimal screening and protection at these locations. Smaller calipers take more time to grow and provide the minimal screening desired. However, your comments are very valid and such increased standards should not be counter-productive to the health and intent of providing landscaping specifications. Your comments will be forwarded to our staff and consultants team for further evaluation.	No change to landscaping standards. These minimum planting requirements were required by the Urban Forester in conjunction with best practices. Also, the property owner has the choice to apply for a design alternate to the landscaping standards.
13	Object	page 1-16 Flush garage doors	Under flush garage doors it is limited to two single doors less than 12' wide. A normal garage door is 8' or 9' wide for one car. A single 16' wide door is the standard for a double car garage. You should additionally allow one single door at a maxumuim of 16'.	Thanks for your comment. Your comment will be evaluated by the staff team.	Section revised to remove the minimum door width standard.
14	Observation	page 1-17 Townhouse	Front facing garage doors are not allowed in townhouses. Currently townhomes are being built that include garage doors on the front. Will these projects be allowed to be completed without being required to redesign the balance of the project? Please define grandfathering guidelines somewhere in the the ordinance.	Thanks for your comments. The new standards will apply for projects submitted after the effective date of the new UDO adoption. We will look into clarifying this grandfathering clause into the draft text.	Section revised to permit additional parking options for townhomes.
15	Observation	page 6-12, D. Schools public and private defined	It is better to use the current State law definition for qualified nonpublic schools under 2. Use Standards a. This will reduce confusion."Qualified nonpublic school" means a school having an enrollment of 20 or more students, and that has one or more of the characteristics set out in G.S. 115C-555.	Thanks for your comment. Your comment will be evaluated by the staff team.	No change to draft.

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16	Object	page 8-9 sidewalk width is listed at 6' min	The normal sidewalk is 4' wide. Increasing this 50% to 6' has an impact on impervious surface and causes environmental damage. This will impact the quality of our rivers. All sidewalk sizes need to be reevaluated for the impact on the environment. There are locations that should have wider walks due to the pedestrian load, but to establish subjective standards city wide is wrong for this item.	Thanks for your comment. Your comment will be further evaluated by the staff team.	The Sensitive area street cross section has been modified to include a 5-foot sidewalk.
17	Object	Residential Institutions - Churches, Day Cares, Schools on Residential Properties	The UDO needs to be reworked so the proposed code prohibits the use of residential, historic and dedicated-use properties for institutional use, i.e. churches and day cares. This is a City-wide problem and more compatible placement of residential/religious institutions needs clear definition in the new ordinance. Land use specifications, landscaping, parking and building code are not sufficient to deal with the problems arising from the take-over of residential properties by churches, day cares or other residential institutions. These institutions are run as businesses and are not good neighbors. Since the right to free exercise is not burdened, the City should define specific zoning for these uses or prohibit these uses in certain areas, as long as other locations are available for institutions (see Dixon v. Town of Coats, No. 5:08 CV 489, 2010 U.S. Dist. LEXIS 56740 (E.D.N.C., Western Division 6/9/2010), a North Carolina federal district court rejected a RLUIPA challenge as well as federal and state constitutional challenges to a zoning ordinance that excluded religious assemblies from a six-block Mixed Use Village in downtown Coats, NC. This v	Thanks for your comment. Your comment will be further evaluated by the staff team.	No change to use table. Institutional uses are limited uses in the residential districts, and must comply with performance standards.
18	Object	Pgs 2-4, 2-5 and other tables -- Keep R1-R10 back/side lot line setbacks at 10', not 5'	The side- and back lot line setbacks of principal buildings and accessory structures should remain a minimum of 10', which is close enough to the property lot lines. The proposed, reduced 5' setback (found in tables on Page 2 - 4, 2 - 5 and other tables, not in text) is insufficient, particularly with the 2-story, 25'-height structure and only 6' backyard fence height allowances. Had the proposed reduction in setbacks been known, our NCOD could have addressed the 5'-setbacks, stipulating that they remain at 10' in our overlay district. In the event of a reduction to 5', CACs should be allowed to expedite simplified corrections to their NCODs.	Thanks for your comments. we will further evaluate the impacts of the proposed standards on existing neighborhoods and NCOD's.	No change to draft. The NCOD is a tool to be used by the neighborhoods to address issues of compatibility.
19	Other	Sec. 2.4.2 -- Backyard Cottage - Accessory Dwelling Unit	Place restrictions on items that can be used as a backyard cottage: no mobile homes/trailers (single/double-wide), shipping containers/conex boxes, metal huts, or eyesores. Redefine the cottage to be constructed as a house, with permanent water/sewer/electric/gas/telephone lines, be aesthetically appealing, fit into the neighborhood and reflect the primary residential structures' form/appearance and building materials. Current definition of "backyard cottage" is general and could mean any structure, i.e. fits the description of a small mobile home/trailer. The backyard cottage/"Granny Flat" needs clear definition in the UDO, carefully specifying the building and inspection processes, the number (only one (1) in addition to primary residential structure per property) allowed per property, allow only a certain % of the property size for the footprint of the cottage (ranges in table from 2% - 11.25% of lot size) in addition to "max living area", with clearly specified use as a secondary unit (not to be used by the owner as a residence to rent out the larger primary residence). Here again, detached cottages' side and back yard setback should remain at 10' for p	Thanks for your comments. Your comments will be evaluated by the staff team.	Minimal change to language. A standard was added for maximum occupancy (2).
20	Object	Chapter 6 - Use Regulations - Article 6.4.10 "Restaurant/Bar Use" - page 144	I agree with the earlier comment on this subject by Mr. William Heffelfinger. I suggest that design guidelines be applied within mixed use buildings to provide for the insulation of sound traveling through the structure whenever lower floor retail uses are permitted in buildings with upper floor residential units. Once designed and built, it is often impractical to effectively insulate sound within mixed use buildings when restaurants/bars are later permitted to utilize amplified entertainment.	Thanks for your comments. your comment will be evaluated by the staff team.	No change to section.
21	Object	Sec. 2.2.7. Residential Infill Compatibility B. Applicability	R-10 should be added to the list of zonings on which infill compatibility will apply. Multiple neighborhoods on the National Historic Register have properties with R-10 zoning: Roanoke Park, Vanguard, Glenwood-Brooklyn, and others. HiMount is being considered for the Register. The R-10 zoned areas without the protection of a Historic Overlay District should have compatibility protection in order to aid preservation of the intact and viable historic districts and future historic districts that are still in a condition that will allow them to apply for an HOD.	Thanks for your comment. Typically protected neighborhoods either have an overlay of some sort-HOD or an NCOD. However, we will further evaluate your comment to include R-10 zoning.	Change made to section. R-10 is now included in the list of protected districts.
22	Observation	2.2.1 and others	Why require 2' ground floor elevations anywhere? What about slab on grade construction? What about accessibility. 2' would require a 24 foot ramp, minimum. This make no sense for "health, safety, or welfare"	Thanks for your comment. The 2 foot min. was intended as a way to delineate street edge from the building edge with the use of height as a spatial defining edge esp when buildings were placed closer to the street edge -less than 20 feet distance. we will evaluate your comment further.	No change to section. A raised floor elevation is not required when a structure is located further than 20 feet from the street.
23	Support	2.4.2 Backyard Cottages	I support backyard cottages as a way to add density to the downtown areas (and as help toward addressing sprawl), but also to allow homeowner's to make some extra income.	Thanks. Comment noted.	Support for backyard cottages noted.
24	Observation	3.2.2 Detached House RX	Why require any minimum ceiling heights, except for what NC building code allows? 9'-0" make no sense. This should be an owner and designer preference. Some folks don't want high ceilings, and want lower ceilings for many reasons, including less volume to heat and cool. This makes no sense for health, safety, and welfare.	Thanks for your comment. A minimum height will be required by NC building code. Your comment will be further evaluated.	No change to draft. These regulations apply in the mixed use districts. The building types, such as detached or attached, might be used in a non-residential manner in the mixed use districts. The intent of the floor-to-ceiling regulations is to provide for any future conversion.

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25	Observation	6.1.4 Allowed Principal Use Table	Transitional homes not allowed in residential zoning? Why not? How do folks transition back into society if they can't live in it? Same with Frat houses...why not? Also seems like light manufacturing should be allowed in more zoning districts....too restrictive. What will happen to districts that already have diverse people living in neighborhoods as we try to homogenous things more with the new zoning?	Thanks for your comments. Your comments will be further evaluated.	Transitional homes were removed as a category. Fraternity houses are not permitted in the residential zone districts. Light manufacturing is allowed in the OP, CX, DX, IX, IH and CMP categories. The impacts of these uses are not suited to a broader range of zoning districts.
26	Observation	7.1 Parking	Why not be able to trade out some vehicular parking with bicycle parking? Also consider parking maximums for storm-water reasons. Raleigh is full of underused asphalt lots surrounding buildings that could be apply to a higher uses, at least if owners had a choice to lower the required amount they must provide.	Thanks for your thoughtful comments. we will further evaluate them.	Consider parking maximums instead of minimums. Trade vehicular parking spaces with bicycle parking options.
27	Support	6.6. Accessory apartments	I support the use of accessory apartments as a way to increase density and prevent sprawl, and also to help as a revenue steam for owners.	Thanks for your supportive comment.	Support for accessory apartments expressed.
28	Observation	7.2.5 Walls and Fences	PVC vinyl - not a high quality material? Why allow this? This is not a environmentally sound material, and has no ability to patina. Plus, there seems to be no other material regulations on building, why start with fences?No fences made with with 50% standard exposed masonry? This is a quality material and there are some beautiful ones around town. 8' high fence on side? why not maintain 6' as current. 8' blocks alot of light.	Thanks for your comment. Your note will be further evaluated by the staff team.	The provision regarding exposed masonry has been removed. The other provisions regarding materials remain in the draft. Fence height was not lowered to six feet.
29	Object	6.7 - Prohibit Use of Certain Objects as (Non-Dwelling/Dwelling) Accessory Structures/Storage Units/Sheds	1. Prohibit Shipping Containers / Conex Boxes -- In clear view and visible from street, these units are the most unattractive accessory structure (non-dwelling and dwelling) solution allowed by the City:Unit looks like a railroad box car and is unattractive as a permanent structure, particularly in a residential setting. Noise is amplified and reflects off them in all directionsCity has no privacy fencing or mature vegetation requirements in place to block the unit from view or reduce reflected noise. Improper placement, poor support/leveling and absence of proper tie-down is dangerous (delivering agent apparently not responsible for placement, support and tie-down, or for correct placement at required setbacks; settling of unit can cause run-off on neighbor property)Open space underneath a container that is raised or placed on a slope, if not kept free of debris and vegetation, is a breeding ground for rodent/snake infestation Improper storage is dangerous. The containers are uninsured, if yard equipment, motors or containers are stored loaded with oil and/or gas (combustible liquids/materials), explosives, ammunition, or other hazardous materials	Thank you. Your comments will be further evaluated by the staff team.	Not certain that shipping containers would be permitted as a permanent accessory use in the residential zoning districts. Allowable fence height has been increased.
30	Observation	Zone "Safe Perimeters" Around Schools	For the safety of the children, regulate the zoning in close proximity to schools to prohibit the following 1) next to, 2) across the street from, or 3) within 1,000 feet of any new school (500 feet of an existing school):ABC storethe sale and advertising of all adult products (tobacco products/alcohol (off-site consumption)/gambling-lottery, adult literature)highway retail (gasoline sales), storage or sale of any volatile or flammable substancesadult entertainment of any kind eateries selling alcohol for on-site consumptionfast-food and drive-through eaterieshalf-way houses	Thanks for your comments. Yes, these high impact uses will be controlled around schools.	No change to text. This will apply during the remapping phase.
31	Observation	Sec. 2.2.7. Residential Infill Compatibility - D. Height	We think the word "height" is missing from this sentence:2. Rear Setback PlaneAny building is subject to a rear setback plane starting at 15 feet in at the rear property line, and extending upward one foot for every additional footShouldn't it read:2. Rear Setback PlaneAny building is subject to a rear setback plane starting at 15 feet in height at the rear property line, and extending upward one foot for every additional foot	Thanks for your comment. We will include the recommended text change.	Section was reworded
32	Observation	Sec. 2.2.7. Residential Infill Compatibility - D. Height	We think the word "height" is missing from this sentence:2. Rear Setback PlaneAny building is subject to a rear setback plane starting at 15 feet in at the rear property line, and extending upward one foot for every additional footShouldn't it read:2. Rear Setback PlaneAny building is subject to a rear setback plane starting at 15 feet in height at the rear property line, and extending upward one foot for every additional foot	Thanks. Comment noted.	Duplicate comment - section revised.
33	Object	Sec. 2.2.7. Residential Infill Compatibility - D. Height	We struggled with this section of the code. The "setback plane" is a term we couldn't quite understand given the way the rest of these paragraphs read. There is no definition for it in the Chapter 12 Definitions. It sounds as if a plane is the side of a building. Is a setback plane the plane that starts at the setback from the property line? Or does the height of the plane proposed start at the property line, so that you could have a building with a 15 foot wall on the property line? We don't know. Given that this new code is supposed to be easily interpreted by the average Raleigh citizen, we think this section needs to be rewritten to better convey what it is trying to describe. We can't even judge whether we like this proposed code without clarification. Also, if it is not clarified it will be open to interpretation and become a new source of conflict.	Thanks. Comments noted.	Section was rewritten.
34	Object	Sec. 2.2.7. Residential Infill Compatibility - C. Street Setback	This section's title is misleading. It may make sense for Planning Department staff that "street setback" begins at the property line. It's become clear to us over the last couple of years that a lot line can be significantly set back from the curb of the street where most average citizens think the "street setback" measurement will start. We think retitling the section to "Setback from Property Line" is actually more descriptive of where setback measurements begin for buildings.	Thanks for your comments. We will clarify this in the definitions.	No change to section. Setbacks are typically measured from the property line.

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35	Object	Sec. 2.2.7. Residential Infill Compatibility	The number of residential units per property should be considered in the compatibility standards, particularly now that the required square footages for R-10 and R-6 will allow more units per property. It seems unreasonable to allow a triplex to pop up between a blockface of single family homes. At most a duplex seems reasonable if the adjacent homes on either side or single unit.	Thanks for your comment. Your comment will be evaluated by the staff team.	No change to language. The R-6 district only permits single- and two-family dwellings. The R-10 district would permit three unit dwellings and up. The intent of the infill regulations is to ensure that the infill structure meets the character of the surrounding structures.
36	Object	Sec. 2.2.7. Residential Infill Compatibility - D. Height	How is context information reliably going to be supplied to the Planning Department to determine setback ranges and setback planes? If the context information supplied the Planning Department is erroneous and plans are approved and permits are issued on this erroneous info, what is the process for remedy? Are there going fines or consequences for lack of due diligence and in correct information? There should be a description of the remedy process in this section or a reference to a description of the remedy process elsewhere in the code.	Thanks for your comments. Comments noted.	Include a section that explains how the setback ranges and planes providing context for the block will be calculated and a remedy process for it.
37	Observation	1.4.2 page 1-7	Building Types allowed by district - need to add rest of specialty districts	Thanks for the comment. Staff will ask the consultants to complete the table by adding all special districts.	Changes made
38	Observation	2.4.2	I live in the Historic Glenwood-Brooklyn neighborhood near downtown Raleigh. Most of the properties in HGBN are zoned SPR-30, like my property. Most of the properties in this neighborhood front on a public street, but also have rear or side alley access. My home at 1223 Pierce has an alley that is used by neighbors to park in the rear of their homes and by the City Sanitation Trucks. The new UDO proposes to allow Backyard Cottages ("Mother-in-Law Suites") in residential districts. I reviewed the existing draft UDO, however, and per Section 2.4.2(B), Backyard Cottages do NOT appear to be permitted in the SPR-30 zoning district. The residential districts where backyard cottages are allowed is noted as including R-1, R-2, R-4, R-6, R-10, RX-. The SPR-30 zoning district is not included or noted. I think the text of this section should be changed/clarified to allow SPR-30 or else one of the largest neighborhoods in the City which has an existing developed alley network would not be able to utilize this new use. Given the UDO's design to allow more compact smart development in the urban core in and near downtown, it makes no sense to allow Backyard Cottages in the Code, but not to allow them in the SPR-30 zoning district in neighborhoods	Thank you for your comment. Special R-30 zoning will not exist in the new code, hence the exclusion. Properties currently zoned Special R-30 will be rezoned to one of the new UDO zoning categories that most closely matches the existing built character, zoning and Future Land Use Designation (from the Comprehensive Plan) of the neighborhood. Accessory dwelling units are allowed in all residential districts, provided certain development standards are met in the UDO and therefore will be allowed in Historic Glenwood Brooklyn.	No change - the SPR-30 district does not exist in the UDO. Those areas zoned SPR-30 will eventually be rezoned.
39	Object	Sec. 2.2.7. Residential Infill Compatibility - E. Side Wall Length	What does articulation mean? It is used in this section and several other sections, but it's not clear what would satisfy the requirement for articulation. There is no definition for "articulation" in the Chapter 12. Definitions or anywhere else in the UDO. We are not sure that average citizens will be able to interpret the term without more information about it somewhere in the UDO.	Thanks for your comment. We will look into defining the term "articulation" into the draft text.	No change to text. Articulation is a term of art, which is described in 2.2.7 E.
40	Object	Article 6.2. Residential Uses - B. Single-Unit Living	Our reading of the definition of Single-Unit Living seems to mean that there can actually be two living units counted as one unit for the zoning count. In other words, a single family dwelling with a backyard cottage would count as one unit so that it would be one of six units that can be in an R-6 zoning. So essentially, there could be as many as 12 living spaces, six single family dwelling with an accessory apartment or a backyard cottage, in an R-6 zoning acre. Somewhere in the UDO this needs to be clearly spelled out.	Thanks. Comment noted. The assumption is correct. Accessory dwelling units and accessory aptmnts do not count toward overall residential density.	No change to text. The commenter is correct.
41	Other	Sec. 5.4.2. Limited Historic Overlay District (-LHOD)	We like the idea of a more achievable Historic Overlay District and the contents of the A. Purpose and Objectives sections. But starting in C. Prohibited Activities the proposed language seems to exactly replicate the content of the Article 5.4. Character Protection Overlays Prohibited Activities. It seems that it will be just as hard to for neighborhoods to be willing to take on all these prohibitions.	Thanks. Comment noted.	No change. The prohibited activity as listed in the General Historic Overlay District would apply in the Streetside Historic Overlay District.
42	Other	Sec. 1.5.7. Height - A. Building Height	We like the new standard of building height being measured to the highest point of the roof. But the Flat Roof diagram doesn't label the parapet wall. You have to go all the way to D. Height Encroachments section to understand what the additional height on the Flat Roof diagram. It would be helpful to label that additional height.	Thanks. Comment noted.	Diagram changed.
43	Other	Chapter 11. Administration	We could not find in the UDO the need to have the majority (51%) of property owners in an area being considered for rezoning to signoff on the rezoning. Where is that? Has that been eliminated? What has replaced it? Are rezonings going to be able to happen without the majority of property owners being in agreement?	The 51% criteria currently apply only for the filing of a Neighborhood Conservation Overlay and is not applicable for general rezoning petitions. Your comment will apply and evaluated for Sec 5.4.3 NCOD section of the UDO draft.	No change. The "majority" provision only applies to NCODs, not all rezonings.
44	Object	Sec. 2.1.1. District Intent Statements	We are concerned about the impact of reduced minimum lot sized on existing and thriving R-10 and R-6 neighborhoods. Some test cases of where teardowns have occurred in neighborhoods and what could replace them under the proposed new zoning regulations would be helpful.	Thanks. Comment noted.	While lot sizes are smaller, the UDO contains infill regulations to ensure that new structures built in existing neighborhoods match the form of the surrounding residences.

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45	Object	Sec. 2.2.1. Detached House - Table	The B. Principal Building Setbacks have front yard and side yard setbacks from the primary and side streets. Wasn't this formerly the front and side lot lines? Is it really going to be from the street curb or from the property line? We'd like clarification to be sure where the setbacks measurements start.	Thanks. Comment noted.	No change needed. The setbacks are measured from the property line.
46	Object	2.2 B2 R-6 & R-10	Given that the primary street and secondary street are in the same zoning, the minimum setback on the primary street and the secondary street should be equal. The next lot on the secondary street will be a 10' setback. The corner structure should be able to align with structures on both streets respecting the "street wall." Perhaps to avoid unintended consequences the setback on the secondary street should be defined as equal to the primary setback for structures for which that street is primary.	Thanks. Comment noted.	No change to regulations.
47	Support with Conditions	2.2 c4	define when 4' applies and when 20' applies or reference where to find that definition	Thanks. Comment noted.	Footnote added.
48	Object	2.2 E1	2' ground floor elevation forces Universal Design homes to have 24' of ramp. This seems an odd choice for the home town of the leading proponent of Universal Design. Unless there is a compelling reason to require a 2' elevation I suggest this be dropped.	Thanks. Your comment will be evaluated by the staff team.	No change to regulation. The standard applies for structures within 20 feet of the front property line. Any structure further back can be constructed as slab on grade.
49	Object	2.2.2	my comments on 2.2 apply here	Thanks. Noted.	No change needed.
50	Support with Conditions	2.2.7 Side Setback	The illustration shows, but the text does not define, where on the lot the setback plane starts. Illustration suggests the setback plane starts at the setback line on the subject lot. This text could be misinterpreted to have the plane start at either the lot line or the adjacent structure. Please clarify in the text.	Thanks. Comment noted.	No change to text. The measurement starts at the property line, as the illustration shows.
51	Support with Conditions	2.3.2 A1	Minimum area would limit density to 13 u/a where 2.3.1 tells us the max density is 15 u/a. This number should be 2,600 if 15 u/a is the goal. Make the conflicting sections agree.	Thanks. Comment noted.	No change to regulation. The permitted density always controls. The site area assumes the raw ground before streets have been dedicated. The net result is that the developable area will be reduced by that amount dedicated for street right-of-way.
52	Object	7.1.3.A.1.g	If no parking is required for a movie theatre, then no parking should be required for a live entertainment venue - aka a theatre.	Thanks. Comment noted.	No change to regulation. The "Indoor Recreation" category gets a parking reduction. This category includes an indoor theater.
53	Object	7.4	This section does not appear to be congruous with the City's sustainability initiative. The International Dark-Sky Association (IDA) and the Illuminating Engineering Society of North America (IESNA) Joint Task Force are developing a Model Lighting Ordinance (MLO). http://docs.darksky.org/MLO/2010/MLOdraft19July.pdf	Thanks. Your comment will be further evaluated by the staff team.	While changes to the Lighting section have occurred, the regulations are not IDSA compliant; nor are the existing lighting regulations.
54	Support with Conditions	8.2-3	This seems to preclude streetscape of a denser nature such as the highly successful developments that have worked well for the last century in Oakwood, Boylan Heights, Five Points, etc. In these the planting area is minimized placing most trees in the building setbacks and the sidewalks are narrower. Pedestrian area is 5', Planting area is 5'.	Thanks. Existing neighborhood character of older neighborhoods will be grandfathered into with overlays such as NCOD's or HOD's. Your comment will be evaluated further.	The street typologies have been reworked. The sidewalk width for the sensitive area streets has been reduced to 5 feet with a 6-foot planting area.
55	Object	9.1.8.C	House numbering is not currently congruous with the broader national scheme in which each block is 100 and the street numbers roughly correspond to the the number of feet from the low end. Do we not want to have the new neighborhoods conform to this?	Thanks for your comment. Your comment will be evaluated by the staff team.	No change to text. The section states that the numbering system is as established by the City, which does not preclude the commenter's suggestion.
56	Support with Conditions	11.2.17	Add workflow flow map	Thanks. Comment noted.	Graphic flowchart to be added to all processes.
57	Observation	Parking - Various Sections	Across the board, paved parking is being increased in anticipation of future need. We need to encourage the use of permeable/porous materials or a combination thereof to allow better stormwater management through direct seepage and filtering of rainwater into the ground from parking areas (whether on a commercial property or the additional residential front yard/back yard cottage parking needs), and not allow simple runoff across asphalt pavement, through storm drains into our rivers. Once acceptable, durable materials (pavers, bricks, gravel, grass paving grids, porous asphalt, recycled glass pavement or tire mulch, other green solutions, underground "leaky pipes" that distribute water to filter into the ground as part of it travels to the storm drain) are agreed to, builders and home owners should be encouraged to use a more "environmentally useful" paving solution for new parking and additional parking for already established asphalt. A simple strip of gravel or paving grids several feet wide, located at the point of the most runoff, would make a world of difference. Otherwise, we will soon become a city with more "tarred roof and driveway" than veg	Thank you for adding this comment on Low impact development standards. Although stormwater regulations are being formatted and not changed with the UDO, there are concerns about being able to incorporate LID standards post adoption.	No change to text. Although many of these environmentally friendly techniques are permitted, they are not mandated in the UDO.
58	Support	6.1.4 Allowed Principal Use Table	Agree strongly with the allowed and disallowed use categories for R-1 thru R-10. Manufactured home parks, fraternity/sorority, emergency shelters A/B, and transitional homes/halfway houses are not compatible in a residential setting.	Thank you for this comment. We will be incorporating it into the public comment inventory and forward to the consultants.	No change needed.

Number	Nature of Response	Reference Point	Comment	Response	Resolution
59	Object	Article 2.1 General Provisions Sec. 2.1.1 District Intent Statements	Article 2.1 General Provisions2.1.1. District Intent Statements The current required lot sizes for existing residential zoning districts should remain (R-2, 21,780 SF; R-4, 10,890 SF; R-6, 7,260 SF and so on). For example, in the draft UDO the square footage for the R-6 zoning district is reduced to 6,000 square feet. It should be left at 7,260 SF. In order to have a duplex in the current R-6 zoning district you would need 14,520 square feet. The proposed requirement is 9,000 square feet for a duplex. This is a reduction of 5,520 from 14,520 sf. In an R-6 district that means that the lot requirement of .33 acre for a duplex would be reduced to approximately 0.21 acre. This means that most lots in my neighborhood (zoned R-6 but has mostly R-4 sized lots) and similarly zoned neighborhoods would qualify for duplexes. For older, affordable more vulnerable neighborhoods this could mean a change of character from single-family to a neighborhood that could easily be dominated by duplexes. The proposed draft states that "R-6 is not intended to provide for large areas exclusively dominated by two-unit living..." Unfortunately, the reduction in the pro	Thanks for your comments. Comments noted.	No change to the UDO. The lot sizes in the residential zone districts were reduced; however, the maximum density in the residential districts would still be applicable.
60	Other	Sec. 6.3.1. Civic	Institutional Impacts on Residential Neighborhoods:In order to protect the livability and tax base of neighborhoods, the City needs to address how it will treat different sizes of institutions and what will be the allowed uses. In other words, how do you treat the different sizes and the varying uses of, for example, a church that may have a sanctuary, gym, day school, Sunday School, child care, and other programs vs. a smaller church that has only a sanctuary and Sunday School. One size does not fit all.Houses of worship, and schools, like other kinds of assembly uses, are intense land uses that can potentially have significant negative impacts on surrounding properties. To ensure that these institutions do not cause identifiable harms that cannot be mitigated, zoning should be carefully addressed. Institutions like schools and churches should have a choice of being zoned residential and only being allowed to remain in that zone as long as the institution does not expand or add uses beyond its original zoning approvals. If they change or add uses or start significant expansion, or if they have uses beyond those approved in residential zonin	Thanks for your comments. Comments noted.	These civic uses will require a planted landscaping buffer on the perimeter of the property. The zoning of the property should ensure compatible building height; however there is no control over the mass of the building. That is primarily a function of required parking. The UDO does permit shared parking, which would address the over-parking issue. The UDO does not regulate design to ensure compatibility.
61	Other	Article 6.3. Public & Institutional Uses	Non-City public entities that own institutional property inside the city limits:Raleigh is unique in that as a state capital it has so much publicly owned (by state, federal, or county entities) property that is exempt from local municipal codes. The City should do what it can to ensure that institutions w/in City boundaries are required to abide by municipal code to minimize impact on surrounding residential areas.The City needs to answer the question of when you have a public entity other than the City of Raleigh that owns property, what assurances are there in place that they have to abide by City code?	Thanks for your comments. Comments noted.	No change to UDO. The comment is more of a policy issue; and frankly, the State or Federal government has the authority to choose to not abide by local regulations.
62	Other	Article 5.4. Character Protection Overlays	ADA requirements for older buildings [this is a building code, not a zoning code, issue, but it is a burning issue for many designers and those restoring older buildings]:When restoring a site, local codes should offer an option for partial accessibility. Current municipal code discourages building owners from including accessibility because it is an all or nothing prospect.	Thanks for your comments. Comments noted.	No change to UDO. Staff is unsure if the building code (or Federal law) permits partial compliance with ADA accessibility regulations.
63	Object	Chapter 1. Introductory Provisions	There has not been enough time to review this code and get comments accumulated and posted into Limehouse. SCALE believes that at least 4 more weeks would allow for more careful review and comments. There are inconsistencies in language in different sections of the code, there are many places that are not consumable by the average citizen, and while the diagrams are helpful they are missing some key information and do not in all cases aid in explaining the text adjacent to them.	Thanks. Comments noted.	No change to UDO. This comment was logged in April 2011. Since then, the draft has been revised substantially. The public will be afforded an opportunity to review the revised draft on January 3, 2012 leading up to the public hearing on February 21, 2012.
64	Observation	various -- see comment	2.3.8 F.5 (page 2-21) -- Enforceability must run in favor of some enforcing party with continuing presence and long-term ability to enforce the provisions of the open space plan. Otherwise, lack of enforcement could allow the open space to be degraded or developed in the course of time. The entity must have an enduring existence as well as a pre-established commitment to open space preservation; must not be, for example, a corporation established by the developer, or simply a homeowners association.Moreover, the city should retain enforcement rights in addition to the entity, so that if the other entity ever ceases to exist or can't effectively enforce the open space agreement, the city can always step in.Just make sure that enforceability is effective in "practical" terms.p. 2-3 (2.1.3.C) --What is a "self-contained sharing" dwelling unit?Sec. 2.4.2. Backyard Cottage -- There is a big problem with this provision. The single most important standard to ensure the compatibility of these units with a livable neighborhood is that the unit or the main house must be OCCUPIED BY THE OWNER. Without this standard, both dwellings can become rental prope	Thanks for your comments. Comments noted.	The enforcement of the open space associated with a conservation subdivision will continue to be under the purview of the City. The management of the open space will be handled by an HOA or third party. If the third party violates any of the regulations in section 2.3.8, it would be treated as a zoning violation. Section 2.4.3 refers to accessory apartment contained within a building. This provision is contained in the existing zoning code. The accessory dwelling unit regulations were revised to cap occupancy at two, but as the commenter notes there is no control over the residency of the units.

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65	Support	3.2.6	What is a General Building? How is it different from a Mixed-Use Building? Is this distinction defined somewhere?	Thanks. These building types are defined in Sec.1.4.1 Building Type Descriptions.	A general building contains one use, while a mixed use building contains more than one use. Section 1.4.1 contains descriptions of the building types, and these have been slightly revised.
66	Support	3.4.5	Section 3.4.5 -- Appears to allow parking in front of buildings. I am opposed to this. But it also seems unacceptable in light of public comments earlier in the UDO process, and in contravention of the Comprehensive Plan, which recommends more urbanism. Parking in front of buildings is an anti-urban characteristic. The most important of its anti-urban drawbacks is that it interferes with walkability. People simply do not like to walk to destinations when the route is fronted by parking lots. Locating a double bay of parking between buildings and the street is contrary to all principles of good urbanism and destroys walkability. This is a nebulous statement: What is "some level" of walkability? -- I guess it means it can still be done, even though it will be an unpleasant pedestrian experience that is therefore seldom chosen. The statement "some level of walkability is maintained" is an obvious dodge, as it's flatly cynical, and betrays how this will demolish any real hope of creating walkable places in Raleigh when a double row of car storage separates building fronts from the sidewalk and public realm.	Thanks for your comments. This is one type of frontage defined by the draft code. This accomodates the predominant frontage pattern already prevalent in Raleigh. Urban frontages are also defined in the options.	The UDO has been revised to state the parking is not allowed in front of a property with green frontage.
67	Observation	3.1.1.A.3	3.1.1.A.3 -- Statement of intent ("not to be dominated by multi-unit living, but to successfully integrate 1-unit, 2-unit, and multi-unit dwellings") appears to be aspirational. It needs provisions that make this effective. Wishful thinking should not be placed in an ordinance. In lieu of an aspirational statement, there needs to be a review standard, a requirement for variety in lot sizes, or a numerical requirement for the mixing of dwelling unit types, in order to make the statement effective rather than wishful.	Thanks for your comments. Comments noted.	This text has been removed.
68	Observation	3.3.1, 3.3.2	3.3.1 -- The default height limit of 3 stories: This is great! Some of the densest housing in Raleigh at 48 units per acre occurs in buildings of just 3 stories. This is really livable.Now -- how will additions to this height limit be allowed? How will the benefits to the public realm be gauged when additional stories are permitted to exceed this height limit? I could not find such provisions in this draft; would appreciate more information so I can understand it fully.3.3.2 -- 5 stories, 7 stories, 9 stories, etc. 7 stories (90 feet) - How much of the city gets this treatment? Why is Medium-Density Residential targeted to have a default height of 5 stories -- some of the densest housing in the city is 48 dwellings per acre in 3-story buildings at present. Would two stories in excessive of that (equalling 5 stories) actually provide what most people think of as "medium-density" ?	Thanks for your comments. Comments noted.	Every property in the City will receive a height designation. Any increase (or decrease) in height would be considered a rezoning. The merits of the change in height would be reviewed in accordance with guiding language in the Comprehensive Plan. Staff is unsure of the 3-story property referenced here. It should be noted that these dense projects must be able to adequately park the site.
69	Observation	3.2.6.F.3	3.2.6.F3 -- blank wall area -- shouldn't 'min' be 'max'?	Thanks. Comment noted.	UDO has been modified.
70	Observation	3.4.2.C, 3.4.5,	3.4 Generally -- I like the way the frontage system addresses the public realm.3.4.5 -- Where will P-L apply? I am opposed to allowing parking between buildings and the street. This does not at all "preserve some level of walkability".3.4 generally -- I am disappointed there is no boulevard-style frontage in the code. Many of North Raleigh's commercial and multi-use arterials would benefit from this treatment. (I am referring to a true boulevard cross-section -- in other words Olmstedian boulevards, such as Newberry Street in Boston or any of the cross-town arterial parkways in Brooklyn -- where through travel and local access lanes are separated by landscaped medians with pedestrian and bike facilities.)3.4.2.D. The name 'Green' is odd. Why was it chosen? 'Green' means different things to different people, but mostly I think of sustainability, LEED buildings, energy conservation. If something else is meant -- like "bushy landscaping" -- please use a term that better describes what is meant.	Thanks. Comments noted.There is a Boulevard street cross section contained within chapter 8. The frontages would govern what happens on private property, while the street cross sections would specify everything in the right-of-way.	No change to UDO. The application of any frontage would be discussed at the mapping stage. The street cross section do include a boulevard option which dictates the public improves in the right-of-way.
71	Observation	7.1.3 and others -- see comment	Parking - what about maximums? What about development standards to ensure placement and proper role in site design? Something to ensure that parking is subordinate to other elements of site design towards better urbanism and walkability. ... Please ensure that the effect on site design exemplified by 1011 Hillsborough Street (where required parking takes up 2/3 of the lot area, obliterating any chance for provision of good open space) will be prevented by the new ordinance.Generally -- Without a map, I can't learn whether the "areas with parking exemptions" are appropriate or not.Parking - what about maximums? What about development standards to ensure placement and proper role in site design? Something to ensure that parking is subordinate to other elements of site design towards better urbanism and walkability.7.1.3 -- one parking space required per dwelling unit is too much. There are plenty of people living in downtown and adjacent neighborhoods in Raleigh that don't have a car at all and the number of people who choose this mode of living is only going to increase. De-couple parking from dwellings. Let the developer decide how much is needed, up to a maximum.Generally -- Please ensure that the effect on site design e	Thanks. Comments noted.	No change to UDO. Parking maximums have not been added, although there are options for shared parking, remote parking and even the ability to perform a parking study to reduce required parking.

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72	Observation	9 Public improvements	Does the code (anywhere in the code) require public (park) space as a center of neighborhoods? Every new neighborhood should be grounded by public park space.Defining frontage types is a great approach. It provides clear expectations with regard to the public realm and how buildings and sites meet the public street within a series of known typologies. But part of the public realm is open space and parks. Different types of parks are suited to different typologies of places, just like the frontage framework provides.So -- what about public parks types? Every neighborhood and new development should include open space as a prominent feature, regulated and specified in the same way that height and building form are - where it be in the form of 'suburban yards' or 'pocket parks' or 'neighborhood playground' or 'square' or 'green'.In other words, I really like the typological classification that was used for the frontage types, which permit a range of urban patterns and clearly classify them (and which will, presumably (I hope) place them in clear geographical context by use of a MAP). Parks, I submit, need the same treatment, as they ar	Thanks for your comments. Your comments will be evaluated by the staff team.	No change to UDO. This type designation would be more appropriate in the Parks Master Plan, which will be updated during 2012.
73	Support	8.2.6	I included a comment about Olmstedian boulevards in my comments on the Frontage Requirements section, but I see it that this chapter is the one that deals with street requirements. Glad to see the street types listed. I support the classification of street types in this way. It will regulate the public realm in a much more defined fashion than conventional zoning. I am also very glad to see a true boulevard cross-section among the street types listed. Thanks to the consultants for their insights and expertise in this and many other areas. Typology!	Thanks for your comments.	No change to the UDO needed.
74	Object	garage placement regulations	One of the seven options for garage placement is 'Carriage Court'. This is a cute name, but it allows the placement of the garage in front of the house in pretty much any residential setting. There is nothing to prevent a whole street of houses from having garages in front of the houses (they'll all be side-loaded, but the whole front yard could end up being a vehicular use area (and it will, in this city)). The cutesy name won't do anything to prevent the snout-house effect.Take this option out, or limit it to certain zoning districts, or limit it to lots wider than 150 feet.But if it stays in, please rename the option to "Garage in Front Yard" so at least our citizens will know what they are getting.	Thanks. Comments noted.	No change to the UDO. The intent of Section 1.5.12 is to minimize the visual impact of forward-facing garage doors.
75	Object	garage placement regulations	One of the seven options for garage placement is 'Carriage Court'. This is a cute name, but it allows the placement of the garage in front of the house in pretty much any residential setting. There is nothing to prevent a whole street of houses from having garages in front of the houses (they'll all be side-loaded, but the whole front yard could end up being a vehicular use area (and it will, in this city)). The cutesy name won't do anything to prevent the snout-house effect.Take this option out, or limit it to certain zoning districts, or limit it to lots wider than 150 feet.But if it stays in, please rename the option to "Garage in Front Yard" so at least our citizens will know what they are getting.	Thanks.	Same as above - duplicate comment.
76	Observation	Article 4.3 Agriculture Productive (AP)	Please include a 'for more information' reference to Article 6.6 Agriculture Use Category9. Raising of animals seems ambiguous. 1st: raising of animals is not permitted in Residential District. When allowed (in Residential District? R-1 permits) the raising of animalis is subject to the following conditions:....Should include a reference to section 2.Re: 2.g.Raising animals may be permitted upon approval of a special use permit only.	Thanks. Comments noted.	No change to UDO. The raising of animals would only be permitted in the AP zoning district
77	Observation	UDO draft	WakeUP Wake County - representing more than 2800 citizens in Wake County with a large concentration of our supporters in Raleigh -- commends Raleigh's Planning Director Mitch Silver, Deputy Director Ken Bowers, Planning Manager Christine Darges, Raleigh planning staff, advisory committee, and Code Studio and other consultants, for a strong draft unified development ordinance for the City of Raleigh. The new development code is a significant improvement over the current code, and is a step in the right direction for guiding growth and development in Raleigh. WakeUP is the citizen's voice for good growth planning and sustainable communities. We support well-planned development that promotes vibrant, diverse, mixed-use communities, offers housing choices and transportation options, and preserves open space. We envision a future in which Raleigh is economically and environmentally sustainable because decision-makers have been far-sighted, accounting for projected growth and demographic change, and taking steps now to create a 21st century city. Attaining that future requires change and leadership. WakeUP Wake County will advocate for necessary change, and will hold decision-makers accountable to th	Thanks for this acknowledgement note.	No change needed.
78	Observation	Text and map adoption	We are disappointed that the UDO text and map will not be ready for adoption at the same time. Reviewing these key components separately is not wise. Planners and stakeholders would be able to understand better how the UDO will affect growth and development if the verbal and visual proposals were available simultaneously. That said, we understand the time and effort required to prepare the map, and support moving forward with adopting the text while the map is being drafted and discussed. An enormous amount of work has already been invested in code development, and implementing the new code first should allow planners, communities, and developers to test it and become accustomed to it.	Thanks.	No change needed.

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79	Support with Conditions	Chapter 2	Chapter 2. Residential DistrictsThe UDO shows a disappointing lack of provision or incentives for affordable housing. This is perhaps the greatest weakness of the draft UDO. Raleigh needs more housing choices in all parts of the city for a number of reasons: to increase economic diversity in our public schools and in our neighborhoods, to reduce commuting times (the Raleigh-Durham region is number one in the US in gasoline use per capita), to expand workforce housing options to meet economic needs, and to meet demographic changes (e.g., more elderly, more young professionals, and more Hispanics).Areas targeted for higher density development and transit receive a significant benefit in the UDO, in that their property values increase with greater density and proximity to transit stations. We believe, in exchange for this density bonus, it is only fair that development in these areas give something in return for the benefit they get. We recommend requiring that 15% of new units built in each development in the higher density and transit corridors be affordable to those at 80% of area median income and below. This could be done, for example, through a community land trust so the units are permanently affordable.We are concerned that havi	Thanks for your comments. Your comments will be evaluated by the staff team.	The City Council voted to not include provisions for affordable housing during the project review. As such, there are no mandatory affordable housing provisions in the UDO. The UDO does contain a framework to permit lower-cost housing options, such as the cottage court, backyard cottage or accessory apartments. The cottage court option has been broadened to other zoning districts. Minimum lot sizes have been reduced in the UDO. The cottage court does not permit parking in the "court" area. The backyard cottage regulations
80	Support with Conditions	Chapter 3 and Article 3.1	Chapter 3. Mixed Use DistrictsPlanning and allowing for mixed use development is critical to creating more walkable, multi-modal neighborhoods within Raleigh. While not needed everywhere in the city, creating mixed use communities in key places is essential, and we are pleased that the UDO draft is moving Raleigh in the right direction.However, we are concerned that the proposed regulations only enable mixed use development. There are no compliance standards or incentives in the draft UDO for mixed use. If Raleigh cares about the results of growth, Raleigh's code and zoning should be very clear about where mixed use development occurs and should require approved developments to follow the mixed use guidelines in areas zoned for mixed use. Simply allowing developers to choose when and if to do mixed use will not create the critical components for walkable, bikeable, and transit ready neighborhoods. There will always be a certain amount of demand for mixed use, and the city needs to direct where it goes.Where mixed use is zoned, mixed use development should be required. If the city's goal is to create more compact development, protect open space, and make transit function well, Raleigh needs to be clear about where it wa	Thanks for your comments. Comments noted.	No change to UDO. As stated by the commenter, the UDO does not madate a mix of uses in a mixed use zone district. It should be noted that a mixed use building type by definition is two or more uses contained within the building.
81	Support	Article 3.2	Article 3.2 Building Type RequirementsWe are pleased with the use of graphics in the UDO, which are helpful for understanding the application of the districts, frontages, heights, etc.	Thanks.	No change needed.
82	Object	Article 3.3	Article 3.3 Additional Height RequirementsWe recommend the height limit for the downtown mixed use district be less than 40 stories. More moderate building heights downtown would limit the amount of parking required, and encourage density in other parts of the city.	Thanks. Comment noted.	No change to the UDO. The 40 story height designation would most likely be used sparingly, and will be discussed more in depth during the mapping phase. Parking reductions
83	Support with Conditions	Article 3.4	Article 3.4 Additional Frontage RequirementsThe 70% build-to frontage requirement for most mixed-use frontage descriptions is a good goal to work toward, but requiring it may not be practical in all cases. Consideration should be given to incentivizing the frontage requirement such that anything more than, say, a 50% minimum frontage not count against the parking requirements for the project. In other words, if the minimum standard is 50% and that requires a certain amount of parking, then any frontage greater than 50% should be treated as a bonus and not have additional parking requirements. This would encourage projects to strive for greater than 50% build-to frontage.	Thanks. Comments noted.	No major change to the UDO. The urban frontages still require a higher percentage of build-to, although an alternate to this percentage can be granted to reduce the amount of building located within the build-to area.
84	Support	Article 3.5	Article 3.5 Neighborhood TransitionsThe transition guidelines are well thought out and appropriate. We appreciate your attention to them.	Thanks.	No change needed.
85	Support with Conditions	Article 4.7	Article 4.7 Planned DistrictsIf developers find the mixed use section confusing, they may opt for a Planned District (PD). This is today's Planned Development District (PDD). The PD is an improvement over the PDD because it includes specific design standards. Of course, the PD design standards must be enforced to ensure predictable development.	Thanks.	No change needed; although the PDD section has been revised from the April draft.
86	Support with Conditions	Chapter 5	Chapter 5. Overlay DistrictsArticle 5.2 Environmental OverlaysSection 5.2.3.B Impervious Surface Coverage (for - WP)The percentages of impervious surfaces permitted without stormwater controls are too high. We recommend they be: up to 5% (not 6%) in primary watersheds and up to 10% (not 12%) in secondary watersheds. Research has shown that at 10% impervious surface, water quality impacts are felt. We believe that reducing these percentages slightly would be reasonable.Section 5.2.3.D Nitrogen and Phosphorous LoadingThe nitrogen/phosphorus credit off-sets are too high. Stronger requirements are needed for controlling these nutrients onsite. Current language (from Falls Lake rules), requiring up to 60% of nitrogen and phosphorus to be controlled onsite before allowing developers to purchase off-site mitigation credits, should be strengthened. Ideally, we recommend that 95% would be controlled onsite; however, a compromise to address those properties that simply cannot meet this target would be 70-80%. While Raleigh's desire to implement the Falls Lake rules throughout its watershed is commendable, the rules were a compromise. Off-site mitigation often does not work (as investigated in a recent News & Observer series), and new dev	Thanks for your comments. These will be evaluated by the staff team.	No major changes to the UDO. The WPOD regulations have basically remained intact. Minimums abd affordable housing provisions have not been added to the TOD overlay.

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87	Support with Conditions	Article 7.1	Article 7.1 Parking As our community matures and looks to provide improvements to quality of life by providing options for development that include urban form, care should be taken to give more consideration to pedestrians, cyclists, and mass transit than to automobiles in the urban environment. The draft UDO takes a good step in the direction of modifying parking requirements to support options for urban development and redevelopment and promoting more multi-modal transportation.We support the following provisions of the UDO:Section 7.1.2.B. The Alternative Parking Study option allows an opportunity to vary parking requirementsSection 7.1.2.C. The proposed parking ratios are reasonable without requiring excessive amounts of parkingSection 7.1.3.A.2. The Parking Fee in Lieu option available for the Downtown District permits flexibility in the parking requirementsSection 7.1.3.B. The Transit Overlay District permits parking reductions with Alternative Parking Study and includes maximum parking limits for residential unitsSection 7.1.3.G. The Private Car Sharing Program incentivizes car sharing and reducing vehicle use.Section 7.1.4.A. The Shared Parking provisions make more efficient use of parkingSection 7.1.4.B. The Re	Thanks for your comments. Your comments will be evaluated by the staff team.	No change to UDO. As mentioned, there are no parking maximums or mandatory affordable housing regulations (or incentives) provided in the UDO. The parking ratios can be reduced through an alternative parking study.
88	Support with Conditions	Article 7.2	Article 7.2 LandscapingSection 7.2.2.A & B Transitional and Street Protective Yards, Section 7.2.4.C & D Plant Material and Maintenance of LandscapingThe standards may be too heavily planted for the urban context:Heavily planted transitional protective yards are fitting in the suburban context, however there should be exceptions to planting requirements in the urban context. Where there is greater density, protective yards could be actively used as pathways, alleys, gathering spaces, etc. Heavy planting requirements, particularly in regards to shrubs or berms, for protective yards in the urban context will prevent active people uses of these spaces and will screen the positive benefits of density.The number of required plantings is clear, but the species variety is not:While the standards for transitional and street protective yards are clear in regards to the number of required plantings (shrubs, shade trees, etc.), there is no clear requirement of species variety. We recommend adding requirements for variety to avoid monocultures, which endanger the long-term health of planted species (ex: Dutch Elm Disease) and can create a mon	Thanks for your comments. Your comments will be evaluated by the staff team.	Some change to the UDO. Section 7.2.2 can be administratively altered during the site plan or plot plan review process. This would allow flexibility in quantity of plantings or wall/fence height. Species of trees would be reviewed by the City Forester in accordance with the Tree Manual. The berm regulations have not been changed, but are may be altered through the administrative alternate process. Some language has been added to Section 7.2.4 to address stormwater retention areas as an amenity.
89	Support with Conditions	Chapter 8	Chapter 8. Blocks, Streets, and StreetscapesWhile the UDO does not use the term "complete streets," it does a good job identifying the myriad physical elements necessary to create places where people will want to walk. Creating a "Walk Friendly Community" (www.AmericaWalks.org) depends not only on writing an ordinance requiring these elements, but political commitment to follow through and allow few - if any - exceptions for developers and the city's own public works projects. It will require public investment in pedestrian infrastructure and allowing some creativity to flourish. For example, a recent Urban Design conference hosted by the NC State School of Design included a speaker from the Latino community in Los Angeles who showed colorful images of how East L.A. is revitalizing. This revitalization is due to a blend of community and city investment combined with lots of individual creativity in the public realm and that portion of private property that meets the public right-of-way. Below is a draft complete streets policy (adapted from material prepared by the National Complete Streets Coalition) that we encourage the city to consid	Thanks for your comments. Your comments will be evaluated by the staff team.	Ther street cross sections have been substantially changed. Many of the right-of-way widths have been altered, and the number of cross sections have been reduced. The UDO does not contain a connectivity index, although this concept is contained within the Comprehensive Plan.
90	Support with Conditions	Chapter 10	Chapter 10. Natural Resource ProtectionArticle 10.2 Stormwater ManagementSection 10.2.2.A Exemptions from Active Stormwater Control MeasuresThe Lot size eligible for exemption from stormwater controls is too large. Current UDO draft language exempts lots of one-acre or less. The Falls Lake rules exempt lots of ½-acre or less, so the one-acre exemption in the UDO is too large for Raleigh to comply with the Falls rules throughout its watersheds. These exemptions should still encourage urban development downtown, since lot sizes in this area are generally very small.The language for New Development from the adopted Falls Lake rules is as follows:(a) The requirement that a stormwater management plan shall be submitted for local government approval based on the standards in Item (4) for all proposed new development disturbing one-half acre or more for single family and duplex residential property and recreational facilities, and 12,000 square feet or more for commercial, industrial, institutional, multifamily residential, or local government property;(b) A plan to ensure maintenance of best management practices (BMPs) implemented to	Thanks. Comments noted.	No major changes to the UDO. Many of these regulations are contained within the existing zoning code in Chapter 9.
91	Observation	Chapter 11	Chapter 11. AdministrationAllowing faster approval for development projects with expanded administrative authority makes sense, and should be a win-win for developers and neighborhoods that want predictability. However, we want to make sure there are opportunities for the public to review proposals and express opinions on all projects, without preventing good projects that meet the code criteria from being approved.	Thanks. Comments noted.	No change to the UDO needed. The shift to administrative review is fundamental to the UDO. The intent is to craft adequate regulations and zone land properly. The administrative review of site plans and plot plans will not include neighbor review, although anyone may review proposed site plans and plot plans as they are a matter of public record.

Number	Nature of Response	Reference Point	Comment	Response	Resolution
92	Support with Conditions	Article 5.5	We appreciate the updated release of revised block lengths proposed for mixed use districts and the newly proposed TOD Overlay District and support the intent of the proposed rules. However we feel that these proposed maximum TOD Overlay block lengths may need some additional attention. Recent research (Ewing, Cervero 2010) suggests that urban design elements, such as well connected streets, and the presence of attractive sidewalks may have a greater impact on transit ridership than other factors such as development density or the diversity of uses within a district. In addition, Charlotte's recent Urban Street Design Guidelines and Florida DOT's Transit Oriented Development (TOD) Guidelines both call for reduced block lengths in transit station areas to improve pedestrian access to station areas and facilitate improved transit walk access and overall ridership. In Charlotte, the guidelines call for a preferred block length of 400 feet, with a maximum length of 600 feet for local streets within transit station areas. The FDOT TOD Guidelines call for average block sizes of either 200x600 in urban stations areas or 200x800 feet in rural areas.	Thank you for these comments and references and resources. We will be considering these during the public hearing draft preparation.	No change to UDO. The maximum block length in the DX district remains 440 feet. During the TOD studies, it is anticipated that the street grid will be closely examined, and the study may recommend additional street connections to enhance the grid in these transit rich environments.
93	Support with Conditions	Article 7.1	We applaud the parking reforms proposed in the Draft UDO, particularly those which respond to major transit corridors with frequent service, as well as parking maximums for residential and nonresidential uses. We do have several suggestions which should be considered as a means of mitigating excessive auto travel within TOD Overlay areas. Parking requirements within the DX District, TOD Overlay District, and other mixed use districts We feel that permitting an applicant use of a percentage of adjacent on-street parking spaces towards the minimum parking requirements development projects in DX, TOD, and other mixed use districts is an appropriate parking management tool that the city should strongly consider implementing in the UDO. In neighborhoods with a good mix of uses, the peak parking demand usually occurs at different times throughout the day, which serves to reduce the peak load throughout a district. In addition, many of the streets that have or will be expected to have on-street parking are local streets, which are not expected to carry significant amounts of traffic, and thus do not fulfill a major transportation function.	Thank you for your comments. We will be looking at the TOD parking standards carefully as well as other parking standards under consideration.	No change to the UDO. Required parking may not be provided in the right-of-way, but additional parking may. At issue with allowing required parking to be counted in the public right-of-way is if the City needs to widen the right-of-way (and remove the onstreet parking), it would make the adjoining property non-conforming.
94	Other	TDM Strategies (not covered in the draft UDO)	TDM ordinance While the Raleigh UDO calls for a number of transit friendly rules, and provides incentives for car sharing and parking reductions, the code does not specify other specific ordinances related to Transportation Demand Management (TDM) strategies. However, there are a number of goals expressed in the 2030 Comprehensive Plan related to TDM. Policies T2.13, T2.14, DT2.18, and Action T2.1 seek to increase encourage non-single occupant vehicle travel through TDM policies. In particular Policy DT2.18 encourages the use of TDM strategies such as parking cash out as part of development agreements linked to the construction of downtown parking decks. We do not have specific recommendations at this time, however other metropolitan areas require: Showers be included in office buildings of a certain size to help encourage bicycling or walking to work. Preferential parking or parking cash out programs Transit pass programs A minimum number of off-street parking spaces in more outlying commercial travel corridors areas be provided for park & ride lots A TDM plan developed and implemented	Thank you for the comments.	No change needed.
95	Other	Interim regulatory process for station area land uses (not included in current UDO)	Interim regulatory process for station area land uses Based on recent conversations with planning department staff, we understand that the city expects to apply the TOD Overlay District following the station area planning process, which follows the selection of the Locally Preferred Alternative (LPA) and Minimum Operable Segment (MOS) by the Capital Area Metropolitan Planning Organization (CAMPO). When applied, the TOD Overlay will provide a good level of protection from the proliferation of auto-oriented uses in these valuable transit station areas. But given that it will take a number of years before this zoning restriction is enforceable and able to provide this protection, we feel that there is justification for the city to consider an interim measure that allows some level of protection from transit unfriendly uses. This mechanism could be a special use permit process requirement for a rezoning case within a ½ mile of the proposed LPA station areas, or some other regulatory method. But an additional measure would certainly add an additional tool to protect the region's major investment in fixed guideway transit.	Thank you for the detailed information and resources. These comments will be considered by both the consultant and staff work group as we move to preparation of the public hearing draft.	No change to the UDO needed.
96	Other	Chapter 2. Residential Districts	SCALE urges the City to find ways to encourage equal distribution of development across the City of Raleigh. In recent years, redevelopment has concentrated in some older, established, desirable neighborhoods that do not have the benefit of overlay districts, while other older areas languish. Recognizing the City's desire to develop areas that will raise the most tax revenue, SCALE urges the City to look at the big picture of livability for all neighborhoods and to incentivize development in less well utilized areas. In addition, SCALE urges the City to encourage increased density in the less dense parts of the city rather than the already fairly dense areas, as demonstrated in the map on the City's Limehouse portal. http://raleigh-consult.limehouse.com/portal/planning/community_inventory_report?pointId=1200504117332 You can argue that density has advantages, but you can argue the flip side as well that the more packed in people are the more quality of life is impacted. While expressing a desire for increasing density and reducing sprawl, the City has permitted developments such as Oaks at Fallon Park that effectively reduced density and yet have the potential to increase stormwater runoff.	These observations and comments will be carefully considered during the preparation for the public hearing draft. Thank you.	No change to the UDO. The future land use map in the comprehensive plan provides the guidance for density. These comments would be better addressed through an examination of the map, or during the rezoning phase.
97	Other	Sec. 11.1.5. Appearance Commission	SCALE urges the City to look at ways to work with utility companies to find ways to that more overhead utilities can be retroactively buried, both for safety issues in weather events and for aesthetics.	Thanks for your comment. Comment noted.	No change to UDO needed. This is a policy issue.

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98	Other	D. Manufactured Home Park (R-MP)	SCALE urges the City to pass a local ordinance to retroactively mandate that mobile home park owners provide a concrete block or subground structure where residents could quickly gather when weather disasters are imminent.	Thanks for your comment. Comment noted.	No change to UDO.
99	Other	Article 7.4. Outdoor Lighting	Dark skies regulations. Make sure there is no light trespass on adjacent properties. This is in current ordinance but not enforced. Same with noise ordinance. Enforcement is a source of frustration.	Thanks. Comment noted.	No change to UDO. The lighting regulations have been changed; however, as the commenter states, any violation is a zoning
100	Other	Article 6.3. Public & Institutional Uses	Churches and schools that were once part of the neighborhood have increasingly become "destinations" as their need for more income compels them to rent their spaces and to offer many new programs. The neighborhoods that contain them need to be protected from ramifications of these expansions.	Thanks. Comment noted.	The UDO contains regulations to buffer adjoining residential properties.
101	Support	Page 12 - 9	Keep as is: "The sum in square feet of the gross horizontal area of all floors of the building measured from the exterior walls or from the centerline when two buildings or units abut..." Clearly define what (Building Code reference) "inside perimeter of the exterior walls" measurements are used for, if considering this change as per Comment ID 4 on Gross Floor Area: Page 12 - 9. Not to be used to calculate the size/square footage of structures on properties or setback distances.	Thanks for your comments. These comments will be evaluated further by the consultant and staff team.	The quoted language has been removed from the definition.
102	Support	Enforcement	The zoning code, Planning Commission/City Council approved zoning/rezoning cases, and all Board of Adjustment decisions should be enforceable every day of the week. The City and their inspectors are available Monday thru Friday, and deal promptly with violations during the 8-to-5 office hours. A method for dealing with zoning code violations is needed for those hours/days when City offices are closed (evenings and weekends). Allowing the police to stop the violation based on a printout of a decision or the appropriate code would be helpful, which would defer the problem until City Staff can assess the situation the following Monday. Some examples of weekend-preferred violations are: Destruction/clearing of protected riparian buffer vegetation, construction without necessary permits, or unauthorized use after rezoning denied.	Thanks for the comment. This issue is not a zoning code issue, rather, it is a staffing issue.	No change to UDO needed. This is a policy issue.